

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

RICHARD DEEDS,

Plaintiff,

v.

ROMEO ARANAS, et. al.

Defendants.

3:14-cv-00138-RCJ-WGC

**ORDER**

The court has received Plaintiff's letter claiming that he overpaid the filing fee by the amount of \$50. (Doc. # 19-1.) Plaintiff paid a filing fee in the amount of \$400; however, he contends that he overpaid by including the \$50 administrative fee that is charged in addition to the \$350 filing fee and is not applicable to inmates filing civil rights cases under 42 U.S.C. § 1983.

The United States District Court Schedule of Fees, effective December 1, 2013, provides that the civil filing fee is \$400, consisting of a \$350 filing fee and \$50 administrative fee. It further states that the administrative fee does not apply to prisoner civil rights cases screened under 28 U.S.C. § 1915.

28 U.S.C. § 1915 governs proceedings in forma pauperis. Plaintiff elected to forego filing an application to proceed in forma pauperis, and instead paid the full filing fee. His complaint was then screened, but the screening was pursuant to 28 U.S.C. § 1915A, which states that "[t]he court shall review, before docketing, if feasible or, in any event, as soon as practicable after docketing, a complaint in a civil action in which a prisoner seeks redress from a governmental entity or officer or employee of a governmental entity." An inmate plaintiff need not pay the \$50 administrative fee if his application to proceed in forma pauperis status is granted; however, Plaintiff is not proceeding in forma pauperis. Therefore, Plaintiff was required to pay the full

1 \$400 filing fee. As a result, Plaintiff's request for a \$50 refund is **DENIED**.

2 **IT IS SO ORDERED.**

3 DATED: August 19, 2014



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4 WILLIAM G. COBB  
5 UNITED STATES MAGISTRATE JUDGE  
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